

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,

Petitioner,

v.

WARDEN, San Quentin State Prison,

Respondent.

No. 2:01-cv-0507 MCE DB

DEATH PENALTY CASE

ORDER


On March 8, 2023, the court issued an order addressing two letters petitioner had filed with the court. (ECF No. 617.) The court has now received two additional letters from the petitioner, Charles Riel. (ECF Nos. 618, 619.) The court has received two handwritten letters from the petitioner, Charles Riel. (ECF Nos. 615, 616.) As noted in the court's prior order, petitioner is represented by counsel in this action and pro se filings by a represented party are improper. See United States v. Gwiazdzinski, 141 F.3d 784, 787 (7th Cir. 1998). Petitioner again is encouraged to address any issues regarding this action with his attorney.

In petitioner's two recent letters, he expresses concern that he may be assaulted. (ECF Nos. 618, 619.) This appears to be mainly based on the fact that he believes a correctional officer "just can't stand [petitioner]" and may attempt to get an inmate to assault the plaintiff. (ECF No. 619.) Petitioner's concerns currently appear to be speculative and he has not provided sufficient information about the alleged risk to petitioner's safety. As such, petitioner has not shown that

1 there is likely an imminent risk to petitioner. However, the safety of all parties is always of
2 concern to the court. In the interest of ensuring petitioner's safety, all parties and their respective
3 counsel are notified regarding the letters petitioner has filed (ECF Nos. 618, 619) and the
4 concerns petitioner has raised therein about his safety. Additionally, the Clerk of the Court will
5 be directed to serve a copy of this order on the Litigation Coordinator at San Quentin State
6 Prison.

7 For the reasons set forth above, the Clerk of the Court is ORDERED to serve a copy of
8 this order on the Litigation Coordinator at San Quentin State Prison as well as directly on plaintiff
9 (CDCR No E-00100) at San Quentin State Prison. This order resolves ECF No. 618 and ECF No.
10 619.

11 Dated: March 10, 2023

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14 DEBORAH BARNES
15 UNITED STATES MAGISTRATE JUDGE
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